



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 09/12/2022

LETITIA JAMES
ATTORNEY GENERAL

DIVISION OF STATE COUNSEL
LITIGATION BUREAU

September 9, 2022

Via ECF

Hon. Nelson S. Román
United States District Judge
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Re: *Doherty v. Bice, et al.*, 18 Civ. 10898 (NSR)(AEK)

Dear Judge Román:

This Office represents defendants Patricia Bice, Qui Qui Balascio, and Jared Stammer¹ (collectively, “Defendants”) in the above-captioned action. I write pursuant to Your Honor’s Individual Practices to respectfully request that the Court adjourn the deadline for Defendants to serve their reply brief in further support of their motion for judgment on the pleadings from September 15, 2022 to September 30, 2022. Plaintiff consents to the requested extension.

On May 31, 2022, Defendants requested a pre-motion conference in anticipation of moving for judgment on the pleadings pursuant to Federal Rule of Civil Procedure 12(c). *See* ECF No. 78. On June 2, 2022, the Court entered a briefing schedule pursuant to which Defendants’ motion was due on August 1, 2022, Plaintiff’s opposition was due by August 31, 2022, and Defendants’ reply was due by September 15, 2022. *See* ECF No. 80 (the “Order”).

The requested extension is necessary for Defendants to draft their reply brief as the undersigned counsel for Defendants has several upcoming deadlines in other matters, including a deadline to file a reply brief in further support of a motion for summary judgment and multiple party depositions.

This is Defendants’ first request for an extension of the briefing schedule for their motion for judgment on the pleadings. The requested extension will not affect any other scheduled dates in this case.²

¹ Defendants Stammer and Balascio are no longer employed by SUNY and therefore they are not proper defendants. *See* Fed. R. Civ. P. 25(d).

² The Court stayed discovery pending the resolution of Defendants’ motion. *See* ECF No. 80.

MEMO ENDORSED

Hon. Nelson S. Román

September 9, 2022

Page 2 of 2

Accordingly, for the reasons set forth herein, Defendants respectfully request that the Court adjourn the deadline for Defendants to serve their reply brief in further support of their motion for judgment on the pleadings from September 15, 2022 to September 30, 2022.

Thank you for your consideration of this request.

Respectfully submitted,

/s/ Shaina Schwartz

Shaina L. Schwartz

Assistant Attorney General

212-416-8560

shaina.schwartz@ag.ny.gov

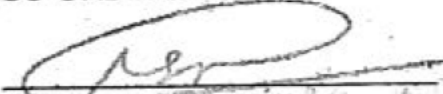
cc: E. Chris Murray, Esq. (via ECF)

The Court GRANTS the application and extends Defendants' deadline to serve their reply to September 30, 2022. Accordingly, all motion papers are also to be filed by the parties on the new reply date: September 30, 2022.

The Clerk of the Court is directed to terminate the motion at ECF No. 82.

**Dated: September 12, 2022
White Plains, NY**

SO ORDERED:



HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE